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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

(HONORABLE WILLIAM Q. HAYES)

UNITED STATES OF AMERICA, Plaintiff, v. JULIO RIVAS-GARCIA, Defendant.	CASE NO. 08cr0083-WQH DATE: FEBRUARY 19, 2008 TIME: 2:00 PM NOTICE OF MOTIONS AND MOTIONS TO: 1) COMPEL DISCOVERY/ PRESERVE EVIDENCE; 2) 12.2B NOTICE; AND 3) GRANT LEAVE TO FILE FURTHER MOTIONS

TO: KAREN P. HEWITT, UNITED STATES ATTORNEY, AND
LAWRENCE A. CASPER, ASSISTANT UNITED STATES ATTORNEY:

PLEASE TAKE NOTICE that on Tuesday, February 19, 2008, at 2:00 pm, or as soon thereafter as counsel may be heard, Defendant, Julio Rivas-Garcia, by and through counsel, Ellis M. Johnston and Federal Defenders of San Diego, Inc., will ask this Court to enter an order granting the following motions.

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MOTIONS

Defendant, Julio Rivas-Garcia, by and through counsel, Ellis M. Johnston and Federal Defenders of San Diego, Inc., pursuant to the United States Constitution, the Federal Rules of Criminal Procedure, and all other applicable statutes, case law and local rules, hereby moves this Court for an order to:

(1) Compel discovery/ Preserve evidence;

(2) 12.2(b) Notice, and;

(3) Grant leave to file further motions.

These motions are based upon the instant motions and notice of motions, the attached statement of facts and memorandum of points and authorities, and all other materials that may come to this Court's attention at the time of the hearing on these motions.

Respectfully submitted,

s/ Ellis M. Johnston III

Dated: February 7, 2008

ELLIS M. JOHNSTON III
Federal Defenders of San Diego, Inc.
Attorneys for Mr. Rivas-Garcia